

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

In the Matter of)	
)	
CHARLES R. LINDSAY, D.O.)	PROBATION ORDER AND
)	STIPULATION
Holder of License No. 793 for)	
the Practice of Osteopathic)	
<u>Medicine in the State of Arizona.)</u>)	

This matter having come on regularly for informal interview before the Arizona Board of Osteopathic Examiners in Medicine and Surgery on the 11th day of June, 1986, the licentiate, CHARLES R. LINDSAY, D.O. holder of License No. 793 for the practice of osteopathic medicine in the State of Arizona, being duly noticed and appearing in person, and the Arizona Board of Osteopathic Examiners in Medicine and Surgery having conducted its informal interview of the licentiate and having afforded the licentiate an opportunity to be heard on the issues before it, and having considered all the material evidence in the matter, and being fully advised, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I

The Arizona Board of Osteopathic Examiners in Medicine and Surgery is the duly constituted authority for the regulation and control of the practice of osteopathic medicine in the State of Arizona.

II

CHARLES R. LINDSAY, D.O., is the holder of License No. 793 for the practice of osteopathic medicine in the State of Arizona.

III

In April 1986, CHARLES R. LINDSAY, D.O. administered Demerol, a Schedule II controlled substance, to himself on several occasions and falsified his office log of controlled substances to attempt to fraudulently account for the Demerol he injected into himself.

CONCLUSIONS OF LAW

IV

The Arizona Board of Osteopathic Examiners in Medicine and Surgery has jurisdiction over the subject matter hereof and over the licentiate pursuant to A.R.S. 32-1803 and 32-1855.

V

The conduct of CHARLES R. LINDSAY, D.O. described in Paragraph III above constitutes unprofessional conduct as the term is defined in ARS 32-1854.A.5 and 23, habitual use of narcotic or hypnotic drugs, or both, and use of controlled substances or prescription-only drugs unless provided by a medical practitioner, as defined in section 32-1901, paragraph 34, as part of a lawful course of treatment.

VI

Grounds exist under A.R.S. 32-1855 to take disciplinary action against CHARLES R. LINDSAY, D.O.

ORDER

IT IS THEREFORE ORDERED that CHARLES R. LINDSAY, D.O. be and hereby is placed on probation for an indefinite period of time under the following terms and conditions:

1. Practitioner's practice shall be restricted to a maximum of four half days per week with a maximum of 5 hours on any given day.

2. Practitioner shall obtain a sponsor in AA within 1 week of the date of this Order.

3. Attend a minimum of 4 NA or AA meetings per week.

4. Continue psychiatric care with timely reports sent to the Board by practitioner's treating psychiatrist with the first report to be received prior to the August 8, 1986 Board meeting.

5. Submit to a minimum of 3 random bodily fluid samples obtained per month.

6. Practitioner shall not prescribe, administer, dispense, order or possess any Schedule II controlled substances as defined in the Controlled Substances Act.

7. Orders forbidding Practitioner from personal use or possession of controlled substances do not apply to medications lawfully prescribed to Practitioner for a bona fide illness or condition by another physician.

8. Practitioner shall appear before the Board upon reasonable notice.

9. Practitioner must comply with all the statutes and rules and regulations of the Board.

10. If Practitioner should fail to comply with all terms and conditions of this Order, then the Board may immediately suspend License No. 793 issued to CHARLES R. LINDSAY, D.O., provided, however, that Practitioner shall be entitled to a subsequent hearing before the Board concerning only the issue of whether the terms of this Order have been violated.

11. Any violation of the Board's statutes, rules and regulations subsequent to this Order may be the basis for further disciplinary action.

12. Practitioner shall immediately surrender his drug enforcement Certificate to prescribe or dispense Schedule II controlled substances and shall immediately dispose of all such substances currently held in his possession in accordance with the laws of Arizona.

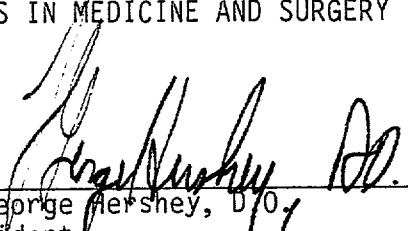
13. Pursuant to condition 10 of this Order, Practitioner is entitled to a hearing before the Board concerning only the issue of whether the terms of that Order have been violated. R4-22-11 provides that any requests for rehearing be filed with the Arizona Board of Osteopathic Examiners, in writing, not later than 10 days after service of the decision. The grounds for rehearing must be specified.

ENTERED and effective this 13th day of June, 1986.

ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

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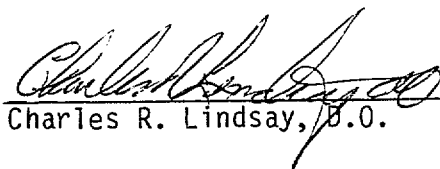
By


L. George Hershey, D.O.
President

By


Mary L. Tucker
Executive Director

I have reviewed the above amended Order of Probation and stipulate thereto.


Charles R. Lindsay, D.O.